IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R..No.4991 of 2006

DATE OF ORDER: 9.1.2007

State of Punjab and Others

...Petitioner(s)

Versus

Megh Singh

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Satish Bhanot, Sr. DAG, Punjab.

Mr. Om Pal Sharma, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 18.4.2006 passed by Civil Judge(Jr.Divn.), Ludhiana whereby evidence of the defendants was closed by order.

The suit was for declaration and for mandatory injunction filed by the plaintiff Megh Singh, now respondent. It comes out that the case was fixed for defendants' evidence. Defendants were granted last opportunity and it was made clear on 13.4.2006 that no further opportunity shall be given. Then on 18.4.2006 when again no DW was present, then the evidence was closed by order.

On behalf of the appellants, it is stated that the affidavit of Tehsildar, who was to appear as DW had been tendered and he was to be produced in evidence and his cross-examination was to be conducted by opposite party i.e respondent-plaintiff and that was not conducted and that appellants-defendants were not at fault.

After hearing counsel for the parties and going through the averments, it is directed that defendants, now appellants shall be granted one final opportunity by the trial Court to complete its evidence.

With this observation, petition stands disposed of.

January 09, 2006 (M.M. AGGARWAL)
manoj JUDGE